

1 A Monticello was being translated by the facility.

2 Q So let's be clear. Let's say -- we will go back
3 to December of 1994 once again, the way we were discussing a
4 minute ago.

5 A Okay.

6 Q Okay?

7 If the Fort Lee translator is receiving Jukebox
8 Radio programming off the air directly from the transmission
9 of the Monticello station, what would the indicator lights
10 show --

11 A None.

12 Q -- on the TC-8 unit in Dumont?

13 A None.

14 Q No, tell me every indicator light.

15 A Oh, light number one would be lit. I apologize.
16 Light number one would be lit to be showing that the main
17 transmitter is on the air, and there would be no other light
18 lit on the unit, Your Honor.

19 Q Okay. How about -- now let's move on to channels,
20 the LAD readout. What channels -- remember, you walked us
21 through some explanation of channels --

22 A Yes.

23 Q -- when we were doing the Monticello
24 demonstration?

25 A Yes.

1 Q Do you have any memory of what channels did, what
2 you would do with different channel numbers?

3 A Channel number one would turn the main transmitter
4 on and off. After that, I don't remember exactly -- we've
5 never really ever had to use the auxiliary transmitter
6 there, so I really can't remember the exact function of
7 turning the auxiliary transmitter on and off. It may have
8 been channel two, three or four. i really don't remember.

9 Channel five would allow you to flip audio, or
10 inputs to the translator for either Pomona or Monticello,
11 and channel six would enable you to use the microwave unit.
12 Channel seven didn't have any function, and channel eight
13 didn't have any function.

14 Q Okay.

15 JUDGE STEINBERG: What was six again?

16 THE WITNESS: I have to start over.

17 MR. RILEY: You said something about microwave.

18 THE WITNESS: I'm sorry. Channel six would allow
19 you to put the microwave on.

20 BY MR. NAFTALIN:

21 Q Okay, Mr. Turro, is there anything else you can
22 think of that you need to tell us about these TC-8s?

23 A That's about it in a nutshell.

24 JUDGE STEINBERG: Okay, the main transmitter, I
25 think you said this before, in Dumont, the TC-8 unit in

1 Dumont that was hooked up with Fort Lee could not adjust the
2 power of the Fort Lee translator?

3 THE WITNESS: Never.

4 JUDGE STEINBERG: Is it the same -- you explained
5 this morning why you couldn't do that in Monticello. Is the
6 reason you couldn't do that in Fort Lee the same?

7 THE WITNESS: Yes.

8 JUDGE STEINBERG: If the Fort Lee translator was
9 translating Pomona, the number five status light would be
10 lit?

11 THE WITNESS: Yes.

12 JUDGE STEINBERG: And if the main transmitter was
13 on the air, the number one status light would also be lit?

14 THE WITNESS: Yes.

15 JUDGE STEINBERG: So there would be two lights
16 lit?

17 THE WITNESS: Yes.

18 JUDGE STEINBERG: At the same time?

19 THE WITNESS: Yes.

20 MR. NAFTALIN: May I ask one somewhat unrelated
21 matter?

22 BY MR. NAFTALIN:

23 Q Mr. Turro, let me put in front of you Turro
24 Exhibit No. 29, which has previously been admitted. If you
25 want to sit down, that would be great.

1 A I'm comfortable standing.

2 Q Well, come near a microphone. I don't care where
3 you are.

4 A All right. I've been sitting for eight days.

5 Q Do you recognize what's in the picture in Turro
6 Exhibit No. 29?

7 A Yes, I do.

8 Q What is this?

9 A This is a satellite receiving dish to receive
10 network audio from the ABC direction network.

11 Q Is this -- where is this dish located?

12 A It's located on the building adjacent to the
13 Jukebox Radio studios.

14 Q Are there any other dishes or antennas similar in
15 any way to that either on the roof of the Dumont studio or
16 on the roofs somewhere near the Dumont studio that you know
17 of?

18 A None.

19 Q Okay. Has this dish that you look at in Turro
20 Exhibit No. 29, does that have transmission ability?

21 A No, and I don't think it could.

22 Q Has it ever had transmission ability?

23 A No.

24 Q It has at all times been a receive only dish?

25 A Strictly.

1 Q Okay.

2 JUDGE STEINBERG: How big in diameter is it?

3 THE WITNESS: Ten to 12 feet.

4 MR. NAFTALIN: Your Honor, I think we are done
5 with direct at this point.

6 JUDGE STEINBERG: Does anybody have any questions
7 concerning Chart 2 and the second demonstration?

8 Do you want to take some time?

9 MR. ARONOWITZ: Yes, I would like -- we would like
10 to take some time, but I would -- I would like to take some
11 time.

12 JUDGE STEINBERG: Okay, let's go off the record
13 and you can take some time.

14 Why don't you take pictures of that second set up,
15 too.

16 MR. NAFTALIN: Terrific.

17 THE COURT REPORTER: Off the record?

18 JUDGE STEINBERG: Yes, off the record.

19 (Whereupon, a recess was taken.)

20 JUDGE STEINBERG: We're on the record now, and,
21 Ms. Friedman -- well, it's a quarter after one now, and how
22 long have we broken for, about 25 minutes, and Ms. Friedman,
23 why don't you -- now, apparently the Bureau and Universal
24 are not anywhere near ready to ask whatever questions they
25 have?

1 MS. FRIEDMAN: No, they are not, Your Honor.

2 JUDGE STEINBERG: Okay. And you request that we
3 have a luncheon break now?

4 MS. FRIEDMAN: Yes.

5 JUDGE STEINBERG: Okay, I will grant the request
6 and we will have a luncheon break now. We will break for an
7 hour, so we will be back here at 2:15.

8 At 2:15, I will expect to -- we will have whatever
9 questions there are for Mr. Turro -- we will begin with
10 whatever questions there are for Mr. Turro on the last
11 demonstration, and we will go right into cross-examination
12 and there won't be any further breaks for -

13 MS. FRIEDMAN: Okay.

14 JUDGE STEINBERG: There won't be any breaks for
15 the purpose of huddling up to formulate questioning.

16 MR. NAFTALIN: What will be Mr. Luna's role after
17 that?

18 JUDGE STEINBERG: I don't know. We can discuss
19 that after --

20 MR. NAFTALIN: My understanding was he would have
21 to -- if the Bureau seeks to put him on as a rebuttal
22 witness, and we don't know the answer to that yet.

23 JUDGE STEINBERG: Right.

24 MR. NAFTALIN: They may not. If they do, wouldn't
25 it be necessary for him to get on the stand immediately

1 after Mr. Turro's examination on this subject?

2 JUDGE STEINBERG: I think we will hold off Mr.
3 Luna. If they want to put on Mr. Luna, we will have him put
4 on after the two engineers.

5 MR. NAFTALIN: But he would be excluded from the
6 room for the rest of --

7 JUDGE STEINBERG: Yes, he would be excluded. Once
8 the cross-examination is finished on the last
9 demonstration, then he is on his own.

10 MS. FRIEDMAN: Your Honor, just so I understand,
11 so after the Bureau and Universal do their cross-examination
12 this afternoon, Mr. Luna --

13 JUDGE STEINBERG: Mr. Luna will be excused.

14 MS. FRIEDMAN: Will be excused.

15 JUDGE STEINBERG: And then he will still be under
16 the sequestration. I want to make it clear that he will
17 still be under the sequestration where he can't talk to
18 anybody but counsel about anything he has heard. And if
19 he's going to be presented as a rebuttal witness, he should
20 be ready to go after, I guess, Mr. Hidle second or Mr.
21 Hurst?

22 MR. NAFTALIN: Mr. Hidle will be second.

23 JUDGE STEINBERG: Then immediately after Mr. Hidle
24 is finished, and then if there is any rebuttal to be --
25 surrebuttal, whatever we call it, then the Bureau and

1 Universal will be ready immediately at that point to put
2 that on.

3 MR. NAFTALIN: Your Honor, let me just for the
4 record express our great concern for the impropriety of
5 having a fact witness closeted with a whole group of people
6 from the other side, potentially having his testimony
7 influenced.

8 JUDGE STEINBERG: Well, that's the way they would
9 prepare their rebuttal anyway, so what difference does it
10 make?

11 MR. NAFTALIN: Okay, I felt it necessary --

12 JUDGE STEINBERG: I don't know if I fully
13 explained this on the record yesterday when we were talking
14 about Mr. Luna. He is the only one in this room, other than
15 Mr. Turro, who knows anything about the equipment in Dumont.
16 Now, he didn't visit Fort Lee, so he doesn't know squat
17 about Fort Lee. Squat being a term of art that we lawyers
18 use to reflect he knows nothing about what's at Fort Lee.
19 And I don't think it's unreasonable to have him in the room
20 to observe -- to hear what Mr. Turro has to say, to observe
21 the demonstrations, because he may be the only one that
22 knows whether things operated any differently, and I just
23 think it's fair to the Bureau and Universal to give them
24 that assistance.

25 MR. NAFTALIN: Thank you, Your Honor.

1 JUDGE STEINBERG: So we will be in recess until
2 2:15, and you will convey, Ms. Friedman, at 2:15 the first
3 thing we will do is cross-examination on the demonstration,
4 and then we will jump immediately -- and then Mr. Luna will
5 be excused, and then we will jump immediately into the
6 cross-examination of Mr. Turro's direct case, written direct
7 case, and then there won't be any breaks for question
8 huddling. Okay?

9 MS. FRIEDMAN: Okay, I understand.

10 MR. NAFTALIN: Thank you, Your Honor.

11 THE WITNESS: Thank you, Your Honor.

12 MR. RILEY: Thank you, Your Honor.

13 (Whereupon, at 1:20 p.m., the hearing was
14 recessed, to resume at 2:15 p.m., this same day, Wednesday,
15 December 10, 1997.)

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A F T E R N O O N S E S S I O N

(1:15 p.m.)

JUDGE STEINBERG: Let's go on the record.

MR. NAFTALIN: Your Honor, something like five minutes ago a messenger arrived from my office bearing with him supplemental statements from Herman E. Hurst and John E. Hidle, who will be the experts testifying tomorrow. If this is a good time, I would like to propose to identify them for the record and distribute them to counsel.

JUDGE STEINBERG: Okay, why don't you do that.

MR. NAFTALIN: Okay. First, let me give, Your Honor, the court reporter -- giving the court reporter an original and one copy of what we propose to identify as Turro Exhibit No. 35, the supplemental statement of Herman E. Hurst, Jr. I would like this identified, and then we would seek to admit it through Mr. Hurst when he testifies.

JUDGE STEINBERG: Okay, consists of four pages and the document will be marked for identification as Turro Exhibit 35.

(The document referred to was marked for identification as Turro Exhibit No. 35.)

MR. NAFTALIN: Thank you, Your Honor.

In addition, I am giving the court reporter an original and one copy of what we propose to be Turro

1 Exhibit No. 36, the supplemental statement of John E. Hidle,
2 and we would seek to admit this through Mr. Hidle during his
3 testimony tomorrow, or whenever it is.

4 JUDGE STEINBERG: okay, the document by my count
5 has got 10 pages, and it will be marked for identification
6 as Turro Exhibit No. 36.

7 (The document referred to was
8 marked for identification as
9 Turro Exhibit No. 36.)

10 MR. NAFTALIN: Thank you, Your Honor.

11 JUDGE STEINBERG: Okay, who is going first? Who
12 his cross-examining first?

13 MR. ARONOWITZ: I believe I am, Your Honor.

14 JUDGE STEINBERG: Okay.

15 MR. ARONOWITZ: This cross-examination, an hour
16 can do.

17 CROSS-EXAMINATION

18 BY MR. ARONOWITZ;

19 Q Mr. Turro, with respect to the configuration that
20 we see before us, were you the one that configured this
21 arrangement?

22 A Before us now?

23 Q Yes.

24 A Yes.

25 Q And when you installed this in Fort Lee, were you

1 the one who -- between Fort Lee and Dumont, were you the one
2 that configured this as it operates between Dumont and Fort
3 Lee?

4 A Yes.

5 Q And has the configuration ever changed over time?

6 A Not that I -- you mean electronically? No.

7 Q In any way, shape or form.

8 A I'm sorry. I apologize. I am wrong.

9 Yes, it has changed.

10 Q Did you make those changes?

11 A Yes.

12 Q Did you discuss those changes with anybody?

13 A No.

14 Q Was the TC-8 remote unit as used in Dumont -- I
15 think this morning we talked about either the status lights
16 or the channel being labeled or otherwise identified?

17 A I never said that.

18 Q Strike the question.

19 The TC-8 remote unit now that is representative of
20 the one in Dumont, was there any indication of what the
21 status lights if lit would indicate?

22 A That question doesn't make any sense.

23 Q Is there any way that anybody other than you would
24 know what the lights meant?

25 A No.

1 Q Thank you.

2 Is there anybody other than you that would know
3 what the channels meant?

4 A No.

5 Q So they weren't identified?

6 A No.

7 JUDGE STEINBERG: Okay, they weren't identified in
8 Dumont on any of the equipment? On any of the TC-8 units?

9 THE WITNESS: Your Honor, the Dumont to Fort Lee
10 TC-8 remote control was not -- did not have any literature
11 with it. The Dumont to Monticello did.

12 JUDGE STEINBERG: That's the hanging tag?

13 THE WITNESS: Yes, sir.

14 BY MR. ARONOWITZ;

15 Q When you referred to the hanging tag this morning,
16 if one were to go in and look at the hanging tag, could one
17 figure out what the lights actually -- what the lights and
18 the channels actually represented?

19 A On this unit, no.

20 Q On the one you referred to this morning --

21 JUDGE STEINBERG: Okay, time out. Time out.

22 We have two TC-8 units in Dumont, correct?

23 THE WITNESS: Yes, sir.

24 JUDGE STEINBERG: The hanging tag identified the
25 functions of the lights, status lights, and the channel with

1 respect to the TC-8 that was hooked to the Monticello
2 transmitter?

3 THE WITNESS: Yes, sir.

4 JUDGE STEINBERG: What Mr. Aronowitz -- and the
5 TC-8 unit that was connected to Fort Lee, the TC-8 at Dumont
6 that was connected to Fort Lee had no indication on it or
7 near it as to what the status lights meant or what the
8 channels meant?

9 THE WITNESS: That is correct.

10 JUDGE STEINBERG: What Mr. Aronowitz wants to
11 know, I think, is if somebody in Dumont could figure out
12 what the status lights on the TC-8 unit hooked to Fort Lee
13 indicated.

14 THE WITNESS: Mr. Aronowitz said that's not what
15 he wants.

16 JUDGE STEINBERG: That's not what you want?

17 MR. ARONOWITZ: No, that will be a good question.
18 I have another question. That's not the question, but I
19 will have that question eventually.

20 THE WITNESS: Okay, Your Honor. I apologize. I
21 was watching Mr. Aronowitz and I didn't get the question.

22 JUDGE STEINBERG: Okay. Since that's not what you
23 want, ask what you want. I will withdraw the question.

24 MR. ARONOWITZ: No, no. I want that question.

25 BY MR. ARONOWITZ;

1 Q Was there any -- I want that question. I want
2 that because I wasn't -- I have an additional question but
3 that wasn't --

4 JUDGE STEINBERG: Well, ask your additional
5 question first.

6 BY MR. ARONOWITZ;

7 Q Is there any way that a person in the Dumont
8 studio looking at the TC-8 remote connected to the Fort Lee
9 translator -- you know which TC-8 remote I'm talking about.
10 Is there any way that anybody -- there was any indication
11 what the status lights stood for or the channel lights stood
12 for?

13 A No.

14 Q There was no tag?

15 A No.

16 Q Could somebody then figure out what they meant?

17 A No.

18 Q Okay. So watching it in operation without the
19 identification, they couldn't figure it out?

20 A No.

21 JUDGE STEINBERG: Was that done on purpose?

22 THE WITNESS: Your Honor, the Dumont to Monticello
23 is required by FCC rules and regulations to be tagged, so
24 that people know how to operate the remote control functions
25 for Monticello. That's required by law.

1 That is not the case with these units.

2 JUDGE STEINBERG: With "these units," you're
3 referring to the Fort Lee to Dumont units?

4 THE WITNESS: Yes, sir.

5 JUDGE STEINBERG: The TC-8s?

6 THE WITNESS: Yes, sir.

7 JUDGE STEINBERG: Okay, let me establish a ground
8 rule. When we're asking Mr. Turro questions from this point
9 forward on the TC-8 units, we're talking about the Fort Lee
10 to Dumont connection, so we don't have to say that every
11 time. If we're not talking about Fort Lee/Dumont as
12 represented in Chart 2, we will say it.

13 is that clear?

14 MR. ARONOWITZ: Fair enough, Your Honor.

15 BY MR. ARONOWITZ;

16 Q Mr. Turro, the Judge just asked you if there was
17 any reason why you didn't have these labeled, and you said
18 that the FCC rules don't require it.

19 A That is correct.

20 Q Okay, that's the sole reason for not labeling
21 this?

22 A I got to tell you, I never really gave it a lot of
23 thought.

24 Q Well, would the TC-8 remote unit be used in part
25 in the event of an emergency?

1 A Yes.

2 Q Well, then, how would the operator know what to
3 do?

4 A Because I wouldn't want the operator switching
5 that without my permission and told to do so.

6 Q Fair enough.

7 I am now going to talk about the microwave signal,
8 and I'm not even going to get up and go near that chart, and
9 I'm going to ask you a couple preliminary questions first.

10 This morning when you were talking you said that
11 the audio signal, as reflected on Chart 2, goes into a dummy
12 load.

13 Could you explain to us what you mean by dummy
14 load in this context?

15 A Okay, what happens is this. You can't take a
16 stereo, Mr. Aronowitz, and have it playing without a speaker
17 on it. If you do that, you would blow up the output of your
18 amplifier eventually.

19 What happened with this when the audio was not
20 switched, the transmitter seeing a 600 ohm load, it was
21 sitting on a 600 ohm dummy load resistor so that it wouldn't
22 damage itself.

23 Q Could you try that in English, for non-engineers?
24 I absolutely couldn't even follow that answer.

25 THE WITNESS: Your Honor, did I make that clear?

1 JUDGE STEINBERG: Did your engineer understand it?

2 MR. BRADSHAW: Yes, I did.

3 JUDGE STEINBERG: Okay, explain it to Mr.

4 Aronowitz later.

5 MR. BRADSHAW: Oh, okay.

6 MR. ARONOWITZ: Well, how can I ask a question --

7 JUDGE STEINBERG: Well, okay, explain it to Mr.

8 Aronowitz now.

9 MR. ARONOWITZ: Thank you.

10 (Pause.)

11 BY MR. ARONOWITZ;

12 Q In the context that you explained the stereo, you
13 were preventing the stereo from blowing up, what function
14 was the dummy load performing in this set up?

15 A It was creating a load for the audio output from
16 the microwave unit, so that instead of seeing a load into
17 the transmitter, it saw an external load.

18 I will give you an example, Mr. Aronowitz. It's
19 like you're taking your car and having it in neutral and
20 flooring it, you would blow the engine up. There needs to
21 be a load, and that load should be pushing the car forward.
22 What we are doing is keeping a load on the output audio
23 section of the microwave unit so that it sees 600 ohms.

24 Q Well, forgive me.

25 (Pause.)

1 JUDGE STEINBERG: Can I use a simpler analogy, see
2 if you agree with this?

3 If you keep eating and eating and eating and
4 eating and eating and never getting rid of what you're
5 eating, you're going to blow up, right?

6 THE WITNESS: That's a fair way of putting it.

7 JUDGE STEINBERG: And the 600 ohm load is the
8 equivalent of getting rid of what you've been eating.

9 THE WITNESS: Dissipating the energy.

10 JUDGE STEINBERG: You're dissipating the energy
11 instead of food.

12 BY MR. ARONOWITZ;

13 Q But what does that mean? Is it --

14 JUDGE STEINBERG: You've given it some place to
15 go, is that correct?

16 THE WITNESS: Yes, Your Honor. Thank you.

17 BY MR. ARONOWITZ;

18 Q Moving from the food analogy, because I don't want
19 to go there, where would this dispersal go?

20 A Into a resister, into the dummy load.

21 JUDGE STEINBERG: Think of the resister as a bath
22 room implement.

23 MR. ARONOWITZ: Thank you.

24 JUDGE STEINBERG: I'm sorry, but that's the way my
25 mind functions.

1 THE WITNESS: Actually, I agree with you, Your
2 Honor. That's a good way of putting it.

3 JUDGE STEINBERG: I should tell you I function
4 that way all the time; not just during this hearing.

5 Let the record reflect humor.

6 (Pause.)

7 MR. ARONOWITZ: I've been advised to move on.

8 BY MR. ARONOWITZ;

9 Q Is the primary use for that microwave path
10 telemetry?

11 A Yes.

12 Q Do you understand that to be in compliance with
13 the Commission's rules?

14 A Yes.

15 Q Okay. And I think you testified earlier that the
16 microwave path is extremely reliable. In fact, I think you
17 said you ever saw them fail?

18 A Never.

19 Q If the path is so reliable and data takes up so
20 little space on the path, why not establish as a fail-safe
21 additional data paths within that frequency?

22 A What?

23 Q You have a data path. For some reason -- and it
24 takes up one-half lane of the highway. You've got a 12-lane
25 highway. Why not move another data path or a series of data

1 paths along that highway so that if one goes down it could
2 revert to another?

3 A Mr. Aronowitz, with all due respect, that's the
4 most ridiculous question I've never heard in my life.

5 JUDGE STEINBERG: Well --

6 THE WITNESS: I mean, it just doesn't make any
7 sense. It just doesn't make --

8 BY MR. ARONOWITZ;

9 Q Why does it not make sense?

10 Is it impossible to have multiple data paths along
11 a microwave?

12 A I have never in my entire life of 25 years of
13 doing this ever seen that; even heard of anyone discussing
14 doing that.

15 Q Well, have you seen anybody configure a data
16 path/audio path like this?

17 A Yes.

18 Q Okay. Are you saying it's impossible to put other
19 data paths along there?

20 A Nothing is impossible, Mr. Aronowitz.

21 Q So you could put other data paths along there?

22 A That is correct.

23 Q So, in other words, to fail-safe a data path, you
24 could put another data path?

25 A You have to realize something, Mr. Aronowitz. The

1 TC-8 is generating the data itself, and generates its own
2 little 67 kilohertz subcarrier is what it does. So you
3 recall can't do that unless you had another set of remote
4 controls. And, quite frankly, I don't have the money for a
5 second set of remote controls.

6 So what you are asking to do does not create
7 another data path. You're asking for me to go out and buy
8 another set of TC-8 remote controls.

9 JUDGE STEINBERG: So each TC-8 -- each TC-8 remote
10 control only -- is only capable of functioning on one data
11 path?

12 THE WITNESS: Exactly.

13 JUDGE STEINBERG: No matter how much data is put
14 on that path? Does that make any sense?

15 THE WITNESS: No.

16 JUDGE STEINBERG: Okay. Whatever data is coming,
17 whatever data is going between the TC-8 units -- I will
18 withdraw that because that doesn't make sense either.

19 (Pause.)

20 JUDGE STEINBERG: I would also ask the witness not
21 to characterize Mr. Aronowitz's questions.

22 THE WITNESS: I apologize.

23 JUDGE STEINBERG: Just answer them. And if you
24 can't answer them, say you can't answer them because either
25 you don't understand it or the premise is faulty.

1 THE WITNESS: Yes.

2 JUDGE STEINBERG: But I don't want this to
3 regenerate --

4 THE WITNESS: I apologize, Your Honor. I
5 shouldn't have done that.

6 BY MR. ARONOWITZ;

7 Q Does the telemetry path go through the microwave?
8 Is it correct that it doesn't go through the TC-8 remote
9 units?

10 A I apologize. I don't understand the question.

11 Q Well, if I understood you correctly, and as you
12 pointed out, I don't.

13 A Well, make this simple.

14 Q Well, wait, no, no, don't make it simple. Let me
15 ask my question. Please let me ask my question before you
16 answer.

17 Did you just say that to do increase -- to
18 increase the amount of data paths you would have to increase
19 the amount of TC-8 units?

20 You just said that, didn't you?

21 A Yes.

22 Q Okay. The data path flows on the microwave.

23 A Let me explain something to you, and I didn't want
24 it to go this point because we're going down the road to
25 nowhere, but I will explain it to you.

1 Q Just like the dummy load.

2 A You have 100 -- we used 12 lanes before, Your
3 Honor. Let's make it even simpler. You have 100 lanes.
4 Now, there is a reason for this. You have 100 lanes. The
5 first -- and this is real light now, okay? The first 15
6 lanes are the audio, zero to 15 kilohertz audio response.
7 That's your first 15 lanes.

8 Now, all the other lanes are blank, all right.
9 You have a lane number 67, as in 67 kilohertz. The remote
10 control unit generates a subcarrier at 67 kilohertz. You
11 hook the 67 -- and this generates inside the TC-8 remote
12 control. The 67 kilohertz gets piggy backed onto the
13 microwave unit, generates its own data path at 67 kilohertz,
14 and is picked up in Fort Lee.

15 What you are saying to me is, Mr. Turro, add more
16 paths. Well, to add more paths, you would have to add more
17 remote control units because the remote control unit itself
18 is what generates the path.

19 JUDGE STEINBERG: So that if you wanted to add an
20 alternate data path, and you could add a TC-8 unit that was
21 transmitting the data path on a different lane in the
22 highway?

23 THE WITNESS: Ninety-two kilohertz would be the
24 next road they would use.

25 JUDGE STEINBERG: Okay, so you could by doing it

1 that way have alternate data paths?

2 THE WITNESS: Yes.

3 JUDGE STEINBERG: So that an interruption in one,

4 let's say an interruption in 67 would not necessarily result
5 in an interruption in 92?

6 THE WITNESS: Right. Now -- yes.

7 MR. ARONOWITZ: All right.

8 THE WITNESS: Mr. Aronowitz, let me apologize for
9 what I said before. I shouldn't have done that. I
10 apologize. I have a raging headache. That's part of the
11 problem right now.

12 JUDGE STEINBERG: Want to go off the record?

13 (Whereupon, a recess was taken.)

14 JUDGE STEINBERG: Let's go back on the record.

15 MR. ARONOWITZ: Believe it or not, I'm working my
16 way through almost -- we're almost there.

17 JUDGE STEINBERG: Okay.

18 MR. ARONOWITZ: Are we on the record?

19 JUDGE STEINBERG: Yes.

20 BY MR. ARONOWITZ;

21 Q Okay, Mr. Turro, you say that the telemetry, in
22 other words, if the data path were to go out, the fail-safe
23 is that the Fort Lee translator will rebroadcast the
24 microwave audio signal it receives from Dumont over the
25 audio path; is that correct?